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Metropolitan Transportation Authority

State of New York

December 26, 2014

VIA ECF FILING

Magistrate Judge Robert M. Levy
United States District Court
Eastern District of New York
United States Courthouse, Room 928S
225 Cadman Plaza East
Brooklyn, New York 11201

Re: DMJ Associates, L.L.C. v. Carl A. Capasso, et al.
Civil Action No. 97-Civ-7285 (DLI) (RML)

Dear Magistrate Levy:

Third-Party Defendant New York City Transit Authority (NYCTA), by its undersigned counsel, requests a thirty-day adjournment of the oral argument of the motion to dismiss brought by NYCTA against Third-Party Plaintiffs Exxon Mobil Corporation and Quanta Resources Corporation, and a similar thirty-day adjournment of the obligation to submit letter briefs as ordered by Your Honor on December 19, 2014. The oral argument is currently scheduled for January 9, 2015, and letter briefs are due by January 7th. Exxon Mobil and Quanta consent to the adjournment. The reason for this request is to allow the parties to continue settlement negotiations in an effort to resolve this matter between the parties without further litigation.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Gordon J. Johnson".

Gordon J. Johnson
Lawrence C. Jenkins
Metropolitan Transportation Authority
Office of General Counsel
(212) 878-4633, 1033
*Attorneys for Third-Party Defendant
New York City Transit Authority*